THE HON'BLE SRI JUSTICE V.V.S.RAO
AND
THE HON'BLE SRI JUSTICE G.V.SEETHAPATHY

WRIT PETITION No.14552 of 2002

Dated:07.06.2007

Between:

Gaddam Guravaiah and another.

…Petitioners

and

The Secretary to Government, Social Welfare (LTS) Department,
A.P.Secretariat, Hyderabad, and others.

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO
AND
THE HON'BLE SRI JUSTICE G.V.SEETHAPATHY

WRIT PETITION No.14552 of 2002

ORDER: (Per the Hon'ble Sri Justice V.V.S.Rao)

The two petitioners are statedly owners of land admeasuring Acs.3.00 in Survey No.31 A and Acs.2.18 guntas in Survey No.31 A/2 respectively. The land is situated at Usirikayalapally Village of Singareni Mandal in Khammam District. The third respondent initiated action under the Andhra Pradesh Scheduled Areas Land Transfer Regulation, 1959 (Regulation No.I of 1959). By orders dated 18.07.1996 and 24.07.1996 the petitioners were ordered to be evicted. The petitioners approached the Agent to Government by filing C.M.A.No.20 of 2000. The same was dismissed. The petitioners then preferred a revision under Section 6 of Regulation No.I of 1959 before the Government along with an application for stay of the orders of the Agency Divisional Officer. Their application for stay was rejected by the Government by letter dated 22.05.2002 addressed to the Counsel for the petitioners. This is assailed in this Writ Petition.

After hearing the learned Counsel for the petitioners and the learned Government Pleader for Social Welfare we are of the considered opinion that rejection of stay, pending revision, was not proper. If ultimately the revision is allowed, it would be useless if the petitioners are dispossessed pending revision. Therefore, we set aside the order/letter, dated 22.05.2002. There shall be *status quo* as on today. The first respondent is directed to dispose of the revision itself within a period of four weeks from the date of receipt of a copy of this order.

The Writ Petition is accordingly allowed. No costs.

(V.V.S.RAO, J)

(G.V.SEETHAPATHY, J)

07.06.2007
Note: Issue C.C in one week.
B/o.
vs